IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Arb.A.No. 14 of 2007()

(AGAINST THE ORDER DATED 03/04/2007 OF THE HON'BLE DISTRICT COURT, THALASSERY IN I.A.233/2007 IN O.P.519/2006)

APPELLANTS:RESPONDENTS:RESPONDENTS:
----

1. **M/S.SHRIRAM TRANSPORT FINANCE COMPANY, 123 ANGAPPA NAIKAN STREET,CHENNAI-600001, REPRESENTED BY ITS AUTHORISED SIGNATORY SANTOSH KUMAR.A.S.**

2. **SHRIRAM TRANSPORT FINANCE COMPANY, HUSSAN ARCADE, IIND FLOOR, THAVAKARA, KANNUR REPRESENTED BY ITS FIELD EXECUTIVE SANTHOSH KUMAR.A.S.**

BY ADV. SRI.C.HARIKUMAR

RESPONDENT:PETITIONER:PETITIONER:

M/S.P.K.GANGADHARAN, S/O.NARAYANA KURUP,SREE SAI NILAYAM,MUNDELI,KANNUR.

BY

THIS ARBITRATION APPEALS HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY and K.P.BALACHANDRAN, JJ.

ARB. A. No. 14 of 2007

Dated this the 4th day of June, 2007

Judgment

Koshy, J.

This appeal is filed challenging the order passed by the Arbitration court. The order reads as follows:

> "Rs.40,800/- is the amount due for two defaulted months. Hence, petitioner is directed to deposit/pay Rs.20,400/- before this court. In the event of compliance of this, the vehicle shall stand released. Call on 13.4.2007."

The order speaks itself. Out of Rs.40,800/-, petitioner was directed to deposit Rs.20,400/- before the court and vehicle was directed to be released. Again, the case was posted to 13.4.2007. Against every interim order of the court, petitioner cannot file an appeal. The case itself is posted to 13.4.2007 and that date is over. It is for the appellant to pursue his remedy before the arbitral court or before the arbitrator. This appeal is dismissed without prejudice to the right of the appellant before the arbitral court or before the arbitrator.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

vaa

J.B. KOSHY AND
K.P.BALACHANDRAN, JJ.

ARB.A.NO.14/2007

JUDGMENT

Dated:4th June, 2007